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Dkt. No. 96700/667

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Maureen J. Charron and Ellen B. Katz  
Serial No. : 09/886,954  
Filed : June 21, 2001  
For : NOVEL GLUCOSE TRANSPORTER/SENSOR  
PROTEIN AND USES THEREOF  
Art Unit : 1636  
Examiner : Sumesh Kaushal, Ph.D.

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Date of Deposit: November 1, 2002

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Name: Alan D. Miller

Signature: [Signature]

**COMMUNICATION IN RESPONSE TO OCTOBER 3, 2002 OFFICE ACTION  
AND INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97(b)(3)**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Communication is submitted in response to the Office Action issued on October 3, 2002 in connection with the above-identified application. A response to the Office Action is due on November 3, 2002. Accordingly, this Communication is being timely filed.

**Restriction Requirement**

In the Office Action, the Examiner required restriction to one of the following seven Groups of inventions under 35 U.S.C. §121:

- I. Claims 1-3, 8-10, 11-13, 18-20 and 21-23, drawn to a method of diagnosis, assessing the efficacy of therapy and prognosis of a subject who has defect in cell proliferation by assaying GLUTx expression using an a nucleic acid probe;